

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

A. REMARKS

1. General Comments

The Examiner did not indicate whether the IDS filed on November 9, 2000 or the formal drawings filed on April 10, 2001 had been accepted. Please acknowledge whether the IDS and the formal drawings were accepted.

2. Replacement Abstract

The Applicant has attached a replacement abstract conforming to 37 CFR §1.72. No new matter is contained in the replacement abstract.

3. Specification Amendments

The applicant has amended the specification to include reference numbers in the specification that are present in the drawings. The specification amendments conform to the original drawings and do not contain any new matter.

4. Claim Objections

The Examiner objected to claims 3-7, 10, 12, and 13 because they contained the term "CWP." The term "CWP" has been amended to "canvas web page." This amendment should overcome the examiner's objections.

5. Claim Rejections – 35 USC § 102

The Examiner rejected claims 4, 7-10, and 14-16 under §102(b) as being anticipated by Kosaka et al. (JP 11250054).

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

Claims 4, 10, and 14 have been amended to recite the limitation of the split screen work area of the present invention. A split screen work area is not disclosed by Kosaka. Claims 7-9, 15, and 16 should be allowed as they now depend on allowable independent claims.

However, the applicant disagrees with the Examiner that Kosaka teaches the limitation of "rendering a first web page remainder transparent." Kosaka discloses the separation of a web page into individual HTML objects which may then be copied into a new web page. Specifically, Kosaka discloses the division of a web page into objects, the storage of the divided objects into a repository, the extraction of the stored object to a composite web page, and the pasting of the extracted object to the web page. *See* Kosaka, pages 13-14, FIGS. 10-13. Thus, according to the Kosaka invention, only the extracted portions of the first web page are present in the composite web page.

By contrast, the Applicant's invention stores the entire HTML of the first web page in the composite web page, but renders the unwanted portion of the first web page transparent. Specifically, the specification states:

Successive IUs may be positioned one over the other so that the relevant portions within the defined areas which have not been rendered transparent will be visible atop the CWP. A set of IUs that have been positioned atop a CWP will create a Composite Web Page (COMPWP) in which all of the stacked web pages continue to function in their ability to update information but only the selected portions are visible in the COMPWP.

U.S. Patent Application 09/710,927, page 8, lines 14-18. Thus, the entire HTML for the first web page (and any other web pages) is present in the composite web page. This is advantageous because the user may want to later access the HTML of the first web page (using the split screen work area) and obtain additional information units from the first web page. The user would be unable to do so with the Kosaka invention because Kosaka only copies portions of the first web

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

page to the composite web page, instead of copying the entire web page and making part of the web page transparent. Therefore, Kosaka does not teach the claim limitation of "rendering a first web page remainder transparent" as described by the applicant.

6. Claim Rejections – 35 USC §103

The Examiner rejected claims 1-3, 5, 6, and 11-13 under §103(a) as being unpatentable over Kosaka et al. (JP 11250054) in view of Straznitskas.

Regarding claims 1 and 2, the Applicant disagrees with the Examiner that the combination of Kosaka and Straznitskas teach "rendering a first web page remainder transparent" for the reasons stated in section 5 above.

Regarding claims 3, 5, 6, and 11-13, the MPEP explains exactly what the Examiner must prove in order to meet the burden of establishing a *prima facie* case of obviousness:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

MPEP §706.02(j). Section 2143 of the MPEP identifies a number areas where the motivation to combine references is insufficient. For example, the mere fact that the references can be combined is insufficient motivation to combine the references. *In re Mills*, 916 F.3d 680, 16 USPQ2d 1430 (Fed. Cir. 1990) (emphasis theirs); MPEP § 2143.01. In addition, a technically simple concept is insufficient motivation to combine references without a specific understanding

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

or principle within the knowledge of the skilled artisan that would have provided the motivation to combine the references. *In re Kotzab*, 217 F.3d 1365, 55 USPQ2d 1313 (Fed. Cir. 2000); MPEP §2143.01. Finally, the level of skill in the art cannot be relied upon to provide the suggestion to combine the references. *Al-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999); MPEP §2143.01.

The Applicant asserts that the Examiner has not met the burden of proving the *prima facie* case of obviousness concerning the Kosaka and Straznitskas references. Specifically, the Examiner has not cited any motivation within the Kosaka reference to combine Kosaka with Straznitskas, nor has the Examiner cited any motivation within Straznitskas to combine Straznitskas with Kosaka. Nowhere in Kosaka is there a suggestion or motivation to combine the Kosaka invention with a picture cropping tool. Likewise, there is no suggestion or motivation to combine the Straznitskas invention with a computer program for combining aspects of two web pages into a single web page. Moreover, neither reference suggests a motivation to modify the combination of Kosaka and Straznitskas to create a split screen work area in which a user can view both the original web page and the customizable web page that the user is creating. Lacking sufficient motivation to combine the two references, the Examiner cannot make out a *prima facie* case of obviousness. Even if the Examiner could make out the *prima facie* case of obviousness, the cited references lack a suggestion or motivation to modify the references to obtain the split screen work area. Therefore, claims 1, 4, 10, 13, and 14 should be allowed as amended.

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

B. REPLACEMENT ABSTRACT

ABSTRACT OF THE DISCLOSURE

An apparatus and method for creating and automatically refreshing a composite web page. The present invention is a method, implementable in computer software, for selecting areas of interest from a plurality of web pages. The user creates a boundary around the areas of interest on each web page. The area inside the boundary, referred to as an information unit, remains visible while the area outside of the boundary becomes transparent. The user may then combine the plurality of information units together on a canvas web page. The user may then rearrange the information units on the canvas web page by dragging the information units to their intended destination. When the user has satisfactorily arranged the information units, the user may finalize the canvas web page into a composite web page. The invention may then refresh the composite web page automatically or upon user request.

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

C. SPECIFICATION AMENDMENTS

Please replace the paragraph starting on page 6, line 5 with:

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FigureFIG. 1 depicts a pictorial representation of a distributed data processing system in which the present invention may be implemented and is intended as an example, and not as an architectural limitation, for the processes of the present invention. Distributed data processing system 100 is a network of computers which contains a network 102, which is the medium used to provide communications links between various devices and computers connected together within distributed data processing system 100. By way of example, ~~network 102, distributed data processing system 100~~ has five computers connected by network 102. First computer 104, second computer 106, third computer 108, fourth computer 110, and fifth computer 112 are shown as part of ~~network 102 distributed data processing system 100~~. Network 102 may include permanent connections, such as wire or fiber optic cables, or temporary connections made through telephone connections, ~~personal computers~~ computers, or network computers.

Please replace the paragraph starting at page 6, line 21 with:

A2
FigureFIG. 2 depicts computer 200. Although the depicted embodiment involves a personal computer, a preferred embodiment of the present invention may be implemented in other types of data processing systems. An exemplary hardware arrangement for computer 200 follows. Keyboard 222 and display 223 are connected to system bus 210. Read only memory (ROM) 230 contains, typically, boot strap routines and a Basic Input/Output System (BIOS) utilized to initialize Central Processing Unit (CPU) 220 at start up. Random Access Memory (RAM) 240 represents the main memory utilized for processing data. Drive controller 250 interfaces one or more disk type drives such as floppy disk drive 252, CD ROM 254, and hard

Attorney Docket No. AUS920000616USI
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

A2
disk drive 256. The number and type of drives utilized with a particular system will vary depending upon user requirements. A network interface 260 permits communications to be sent and received from a network. Communications port 270 may be utilized for a dial up connection to one or more networks while network interface 260 is a dedicated interface to a particular network 280. Programs for controlling the apparatus shown in Fig. 2 are typically stored on a disk drive and then loaded into RAM for execution during the start-up of the computer.

Please replace the paragraph starting at page 9, line 19 with:

A3
~~Figure~~ FIG. 3B depicts second web page 320 having second web page first item 322 and second web page second item 332324. Second web page first item 322 has second web page first item content 328 which is the logo "Austin News." Second web page second item 324 has second web page second item content 324330 which is a satellite map picture which is periodically updated. Alternatively, the satellite map picture could be updated manually or continuously and the degree of updating would depend on the originator of the second web page 320. The relevant information in second web page 320 to the user is the satellite map, i.e. second web page second item content 324330. Second web page second item boundary 326 has been created by the user by moving the cursor around second web page second item 324 from an initial position in a continuous line until the cursor returns to the initial position. The initial position may be any point along second web page second item boundary 326. When second web page second item boundary 326 is complete, the user will execute a "make transparent" command. Execution may be accomplished by right clicking the ~~mouse or by mouse~~, by invoking a "make transparent" icon, or by selecting a "make transparent" command from a drop down menu. Upon execution of the "make transparent" command, all points of second web page

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

A3 320 which reside outside of the ~~first~~second web page second item boundary 326 are made transparent and an information unit is created. Second information unit 332 consists of second web page second item boundary 326, second web page second item 324, second web page second item content 330 and second web page transparent remainder 334. Once the command "make transparent" is invoked, second web page transparent remainder 334 is no longer visible and CWP 332 will be seen (see Fig. 3C). In addition, first information unit 322 will be visible through second web page transparent remainder 334.

✓
Please replace the paragraph starting at page 10, line 17 with:

A4 Fig. 3C depicts COMPWP 360. COMPWP 360 has CWP 330, first information unit 322, second information unit 332, refresh button 342, and Composite Page button 350. Referring to Fig. 3A and Fig. ~~3A~~3B, it can be seen that first information unit 322 and second information unit 332 are located in approximately the same area of their respective web pages. Therefore, second information unit 332 would block out all or part of first information unit 322. The user must therefore, move second web page 320 downward on the screen so that second information unit 332 will be positioned beneath first information unit 322. This may be done by dragging second information unit 332 into position. Dragging second information unit 332 which will have the same effect as moving second web page ~~330~~320 because transparent second web remainder 334 will move along with second information unit 332. When first information unit 322 and second information unit 332 are positioned in the location desired by the user, the user effects the formation COMPWP 360 by clicking on "Composite Page" icon 350 and COMPWP 360 will be saved. COMPWP 360 may be bookmarked for access. When COMPWP 360 is accessed, first information unit 322 and second information unit 332 may be updated by clicking on "Refresh

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

A4
button" icon 342. Alternatively, an automatic refresh may be invoked wherein COMPWP 360 will automatically update to the extent permitted by the update capability of the underlying web pages, first web page 310 and second web page 320. "Composite Page" icon 350 and "Refresh button" icon 342 may be located in any number of GUI options such as icons or drop down menus.

Please replace the paragraph starting at page 11, line 19 with:

A5
Fig. 5 depicts CWP 400 with second web page 320 displayed in split screen work area 420. In order to create a second information unit, the user would then invoke second web page 320 on the left side of alternate CWP 400 so that second web page 320 would be positioned on split screen work area 420. The user would then perform the same operations on second web page 320 to create second information unit ~~328~~332 as described above for first information unit 322. The user would then drag second information unit ~~328~~332 from split screen work area 420 to split screen canvas 410. When second information unit ~~328~~332 was properly positioned, and if no other information units were to be added, the user could invoke the "Composite Page" icon (not shown in Fig. 5) which could be accessed in any number of GUI manners such as an icon or a drop down menu. Refresh button 340 could be used to update first information unit 322 and second information unit 332. Alternatively, refresh button 340 could be used to invoke an automatic refresh function of COMPWP 360.

Please replace the paragraph starting at page 12, line 8 with:

A6
~~Figure 6~~FIG. 6 depicts a flow chart for the program 600 for creating a composite web page such as COMPWP 360 in Figures 3C, 4 and 5. The user would invoke the program (602)

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

A6
and the first step would be to invoke a CWP (604). Next, the program queries the user as to whether an IU was known (606). If the user did not have a desired IU, the program proceeds to step 624. If the user had a desired IU, the program would cause the user to invoke the web page containing the desired information (608). Next, the user would define the IU by starting at an initial point and creating a continuous line around the desired information item until the line comes back to the initial point to completely enclose the information item (610). The user would then position the IU by dragging it into position on the CWP (612). Next, the user would determine whether the position of the IU was correct (614). If the position is were not correct, the user would drag the information unit to adjust the position until the position was correct (616). If the position was correct, or if the position has been made correct by step 616, the program will determine whether the user desires to position another IU (618). If the user desires to position another IU, the program will determine whether or not the IU will come from the same web page as the previous IU or whether the IU will come from a new web page (620). If the IU is to come from the same web page as the previous web page, the program will redisplay the existing web page to allow another selection (621) and then the user will define the IU (610). If the IU is to come from a new web page, the program will return to step 608 and the user will invoke the new web page. If at step 618 the user does not want to add another IU, the program will save the composite web page (622) and the process for forming the composite page will end (624).

✓
Please replace the paragraph starting on page 13, line 4 with:

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FigureFIG. 7 depicts the process 700 for selecting the mode of refreshing (updating) the information items in the composite web page. The process begins 702 when a A-compositc web

Attorney Docket No. AUS920000616US1
 Serial No. 09/710,927
 Response to Office Action dated 06/24/2003

A7
 page such as COMPWP 360 in ~~Figures~~FIGS. 3C, 4 and 5 is invoked (704). Alternatively, process 700 may be initiated after step 622 of ~~process-program~~ 600. ~~Refresh~~The program 700 determines whether the automatic refresh has been turned on (706). If the automatic refresh has already been turned on, the program goes to step 722 and will automatically refresh (722). If the composite web page is not continuing to be displayed (724), the program will end (726). If at step 706 the automatic refresh is not on, the program will query the user as to whether or not the user wants to select the automatic refresh (708). If the user selects automatic refresh, the program will invoke the most recent available data from the underlying web sites (716). The program will then determine whether the composite web page has been displayed for a predetermined amount of time ~~"x."~~ "x" (718). If the composite web page has not been displayed for a predetermined amount of time ~~"x."~~ "x" (720), then the program will wait for a predetermined unit of time and then go to step 718 to again determine whether or not the composite web page has been displayed for predetermined amount of time "x." If the composite web page has been displayed for the predetermined amount of time "x" then the program will invoke the most recent available data from the underlying web sites (722). The program will determine whether or not composite web page continues to be displayed (724). If the composite web page does not continue to be displayed, then the program will end (726). If the composite web page continues to be displayed, then the program will go to step 718 and determine whether or not the composite web page has been displayed for pre-determined time "x."

Please replace the paragraph starting at page 14, line 2 with:

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 At step 708, if the user does not select automatic refresh, then the program will determine whether or not the IU is current (710). If the IU is ~~current~~current, the program will end (726)

Attorney Docket No. AUS920000616USI
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

A8 and wait for the next time the composite web page is invoked. If the IU is not current, the program will determine whether the user wants to manually refresh the IUs (712). If the user wants to manually refresh the IUs then, the user will invoke the refresh icon ~~(714)~~ and the program will invoke the most recent available data from the underlying web sites (714) ~~and~~ the ~~the~~ program will then end (726) until the next time the composite web page is invoked. If the user does not want to manually refresh the IUs, the program will then end (726) until the next time the composite web page is invoked.

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

D. CLAIM AMENDMENTS

1. (Currently Amended) A method for display of one or more information items comprising the steps of:

invoking a first web page;

identifying a first information unit by creating a continuous line around a first information item on said web page so that said web page is divided into said first information unit and a first web page remainder; and

rendering said first web page remainder transparent;

wherein the first web page is layered with a second web page comprising a second information unit and a second web page remainder; and

wherein the first information unit and the second information unit are visible through the transparent first web page remainder.

2. (Currently Amended) The method of claim 1 further comprising:

invoking ~~a~~ the second web page;

identifying ~~a~~ the second information unit by creating a continuous line around a second information item on said second web page so that said second web page is divided into said second information unit and a second web page remainder;

rendering said second web page remainder transparent;

~~and~~ positioning said second information unit relative to said first information unit by dragging; and

wherein the first information unit and the second information unit are visible through the transparent second web page remainder.

3. (Currently Amended) The method of claim 1 further comprising:

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

displaying a multi-part graphical user interface (GUI) comprising a split screen work area and a split screen canvas;

dragging said first information unit to a CWPcanvas web page; and

positioning said first information unit on the CWPcanvas web page;

wherein the canvas web page is located on the split screen canvas; and

wherein the first web page is located on the split screen work area.

4. (Currently Amended) A method for aggregating multiple information items on a display screen of a computer connected to the internet comprising the steps of:

displaying a multi-part graphical user interface (GUI) comprising a split screen work area and a split screen canvas;

invoking a CWPcanvas web page in the split screen canvas;

invoking a first web page in the split screen work area;

identifying a first information unit on said first web page so that said first web page is divided into said first information unit and a first web page remainder;

rendering said first web page remainder transparent;

invoking a second web page;

identifying a second information unit on said second web page so that said second web page is divided into said second information unit and a second web page remainder; and

rendering said second web page remainder transparent; and

wherein a user can simultaneously view the canvas web page and the first web page on the GUI.

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

5. (Currently Amended) The method of claim 4 further comprising dragging said first information unit to said CWPcanvas web page and positioning said first information unit on the CWPcanvas web page.
6. (Currently Amended) The method of claim 4 further comprising dragging the second information unit to said CWPcanvas web page and positioning the second information unit on the CWPcanvas web page.
7. (Currently Amended) The method of claim 4 further comprising saving said CWPcanvas web page, said first information unit, and said second information unit as a composite web page (COMPWP).
8. (Original) The method of claim 4 further comprising: updating said first information unit.
9. (Original) The method of claim 4 further comprising: updating said second information unit.
10. (Currently Amended) A programmable apparatus for display and simultaneous update of multiple information units comprising,
- programmable hardware comprising;
 - a computer connected to a network;
 - a display screen connected to said computer;
 - a program installed on said computer;
- wherein responsive to said program, ~~a web page is acquired from said network and displayed in the display screen;~~ contains instructions comprising:
- instructions for displaying a multi-part graphical user interface (GUI) comprising a split screen work area and a split screen canvas;
 - instructions for invoking a canvas web page in the split screen canvas;

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

instructions for invoking a first web page in the split screen work area;
wherein a user can simultaneously view the split screen work area and the split screen
canvas;
wherein an information unit is identified on the first web page; and
wherein said information unit is moved to a ~~CWP~~ the canvas web page;
wherein the first web page is layered with a second web page on the canvas web
page, the second web page comprising a second information unit and a second web page
remainder;
wherein the first web page remainder and the second web page remainder are
rendered transparent; and
wherein the first information unit and the second information unit are visible through
the transparent first web page remainder and the transparent second web page remainder.

11. (Original) The programmable apparatus of claim 10 wherein said information unit is identified by creating a continuous line around the information item on said web page so that said web page is divided into said information unit and a remainder; and said remainder is rendered transparent.
12. (Currently Amended) The programmable apparatus of claim 10 wherein a second web page is acquired from said network and a second information unit is identified from the second web page;
- wherein a first web page remainder of said first web page is rendered transparent;
- wherein a second web page remainder of said second web page is rendered transparent;

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

wherein said first information unit is positioned on said CWPcanvas web page and
said second information unit is positioned on said CWPcanvas web page so that said
CWPcanvas web page is visible through said first web page remainder and said second web
page remainder; and

wherein said first information unit is visible through said second web page remainder.

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13. (Currently Amended) A computer readable memory for display and simultaneous update of
multiple information units comprising:

a computer readable storage medium;

a computer program stored in said storage medium;

the storage medium, so configured by said computer program, causes the computer;

to display a multi-part graphical user interface (GUI) comprising a split screen
work area and a split screen canvas;

to invoke a canvas web page in the split screen canvas;

instructions for invoking a first web page in the split screen work area;

to acquire a web page from said network and display said web page in a
display screen;

to identify an information unit on the web page;

to position said information unit on a CWPcanvas web page;

to acquire from said network a second web page;

to identify a second information unit on the second web page;

to cause a first remainder of said first web page to be transparent;

to cause a second remainder of said second web page to be transparent;

Attorney Docket No. AUS920000616US1
 Serial No. 09/710,927
 Response to Office Action dated 06/24/2003

wherein a user can simultaneously view the split screen work area and the split screen canvas; and

wherein said program is adapted for dragging of said first information unit and said second information unit by a user, so that responsive to said dragging, said program positions said first information unit on said CWP canvas web page and positions said second information unit on said CWP canvas web page so that said CWP canvas web page is visible through said first remainder and said second remainder and said first information unit is visible through said second remainder.

14. (Currently Amended) A computer implemented process to display and simultaneously update multiple information units comprising:

using a computer, performing the following series of steps:

~~powering the computer;~~

connecting said computer to at least one network;

displaying a multi-part graphical user interface (GUI) comprising a split screen work area and a split screen canvas;

invoking a canvas web page in the split screen canvas;

invoking a first web page in the split screen work area;

wherein a user can simultaneously view the split screen work area and the split screen canvas;

acquiring data in a data level;

displaying said data levels in a display frame in ~~at~~ the first web page;

~~invoking said first web page; and~~

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

identifying a first information unit on said first web page.

15. (Original) The computer implemented process of claim 14 further comprising: using a computer, updating said data level.

A9 16. (Original) The computer implemented process of claim 14 further comprising:

using a computer performing the following steps,

invoking a canvas web page;

positioning said first information unit on said canvas;

invoking a second web page;

identifying a second information unit on said second web page; and

positioning said second information unit on said canvas web page.

Attorney Docket No. AUS920000616US1
Serial No. 09/710,927
Response to Office Action dated 06/24/2003

For the foregoing reasons, the Applicant submits that the claims of the present application are not fairly taught by any of the references of record, taken either alone or in combination. Therefore, allowance of the present application is in order, and is requested.

Respectfully submitted,



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